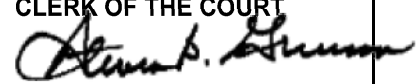


EXHIBIT A
COMPLAINT

**COMP**

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CASE NO: A-21-831863-C
 Department 14

**DISTRICT COURT
 CLARK COUNTY, NEVADA**

Sarah Latham,)	
)	Case No.
Plaintiff,)	
)	Dept.
vs.)	
)	
Wellpath, LLC fka Correct Care))	
Solutions, LLC, a Foreign)	JURY TRIAL DEMANDED
Limited Liability Company,)	
licensed to do business in)	
Nevada,)	
)	
Defendant.)	

COMPLAINT

Plaintiff, Sarah Latham (hereafter "Plaintiff" or "Latham"),
 by and through her attorney, the Law Office of Mary F. Chapman,
 Ltd., hereby alleges and complains as follows:

VENUE AND JURISDICTION

1. This action is being brought pursuant to the common law
 of the State of Nevada as defined by the Nevada Supreme Court in
Hansen v. Harrahs, 100 Nev. 60 (1984), tortuous discharge for
 filing a workers compensation claim.

2. Additionally, Ms. Latham alleges a violation of the
 Family Medical Leave Act (hereafter "FMLA"), as amended, 29
 U.S.C. 2601, et seq.

/ / /

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- 2 -

1 11. Ms. Latham suffers from a serious health condition. On
2 or about November 20, 2018, Ms. Latham made a request for FMLA
3 leave in accordance with Defendant's policy.

4 12. On or about November 26, 2018, Defendant advised Ms.
5 Latham via letter that approval of her FMLA request was pending
6 certification and completion of the required FMLA paper work.

7 13. On or about December 7, 2018, Ms. Latham provided the
8 proper FMLA paper work to Defendant.

9 14. On or about January 30, 2019, Defendant notified Ms.
10 Latham her FMLA leave was approved from December 10, 2018 to May
11 20, 2019, but denied from November 20, 2018 to December 9, 2018.

12 15. Defendant's leave denial on January 30, 2019, directly
13 violated the 5 business day notice required by the FMLA.

14 16. On or about January 10, 2019, Ms. Latham was subjected
15 to retaliatory discipline for utilizing her FMLA leave.

16 17. On or about February 12, 2019, Ms. Latham was injured
17 at work and placed on light duty.

18 18. Ms. Latham was subjected to retaliatory discipline as a
19 result of her having filed her workers compensation claim that
20 resulted in her being placed on light duty.

21 19. On or about March 6, 2019, Defendant continued
22 violating Ms. Latham's rights by placing her on a performance
23 improvement plan (PIP) wherein the alleged deficiencies were
24 directly related to her limitations caused by her work place
25 injury and serious medical condition.

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FIRST CAUSE OF ACTION

WRONGFUL TERMINATION FOR FILING A WORKERS' COMPENSATION CLAIM IN VIOLATION OF NEVADA'S PUBLIC POLICY

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1 27. Ms. Latham filed a workers' compensation claim because
2 of her injuries, and followed the proper procedures pursuing her
3 workers compensation claim. Ms. Latham's actions included, but
4 were not limited to, adhering to the medical advise and
5 restrictions placed upon her by the workers compensation doctor.

6 28. Ms. Latham was subjected to retaliatory discipline when
7 she was issued discipline because she adhered to the medical
8 restrictions placed upon her instead of performing all of her
9 pre-injury job functions.

10 29. On March 7, 2019, Ms. Latham was placed on a
11 performance improvement plan and advised she needed to improve
12 her performance and increase her productively among other things.
13 However, at the time Ms. Latham could not fulfill these requests
14 as she was on light duty due to her workers' compensation injury
15 and not working in her regularly assigned area.

16 30. While still recovering from her injuries, and prior to
17 reaching maximum medical improvement, Ms. Latham was terminated
18 from her position by Defendant.

19 31. Based upon information and belief, Defendant in whole
20 or in part terminated Ms. Latham's employment in retaliation for
21 her filing of a workers' compensation claim in violation of
22 Nevada law.

23 32. Defendant's actions were done intentionally with malice
24 and forethought knowing they would inflict undue injury upon Ms.
25 Latham. Accordingly, Ms. Latham is legally entitled to receive
26 punitive damages.

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SECOND CAUSE OF ACTION**VIOLATION OF THE FAMILY MEDICAL LEAVE ACT**

33. Ms. Latham hereby repeats, re-alleges, and incorporates by reference paragraphs 1-32 contained above as though fully set forth herein.

34. On or about November 20, 2018, Ms. Latham made a request for FMLA leave in accordance with Defendant's policy.

35. It is undisputed that Ms. Latham suffered from a serious health condition qualifying her for FMLA leave.

36. On or about December 7, 2018, Ms. Latham provided the proper FMLA paper work signed by her doctor to Defendant.

37. On or about January 30, 2019, Defendant notified Ms. Latham her FMLA leave was approved from December 10, 2018 to May 20, 2019, but denied from November 20, 2018 to December 9, 2018.

38. Defendant's leave denial on January 30, 2019, directly violated the 5 business day notice required by the FMLA thereby violating Ms. Latham's FMLA rights.

39. On or about January 10, 2019, Rachel Rehm threatened to write Ms. Latham up for insubordination when she had advised that she could not stay after her shift due to not feeling well. Ms. Latham specifically told Ms. Rehm that her inability to stay after shift was directly related to her existing medical condition for which she had been granted FMLA coverage.

40. Based upon information and belief, Ms. Latham was terminated from her position because she exercised her rights to leave and work restrictions pursuant to the FMLA.

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1 48. As a result of Defendant's failure to properly train
 2 and supervise Ms. Rehm, Defendant allowed Ms. Rehm the ability to
 3 violate Ms. Latham's rights protected by the ADA by allowing Ms.
 4 Rehm to engage in harassing discipline, denial of reasonable
 5 accommodation and ultimately terminating Ms. Latham based in
 6 whole or in part on the illegal discipline issued by Ms. Rehm in
 7 direct violation of Ms. Latham's right under the ADA.

8 49. As a result of Defendant's failure to properly train
 9 and supervise Ms. Rehm, Ms. Rehm terminated Ms. Latham's
 10 employment in whole or in part in retaliation for her filing her
 11 workers compensation claim, and thereafter insisting the
 12 restrictions she was placed on by the workers compensation doctor
 13 be followed.

14 50. As a result of Defendant's failure to properly train
 15 and supervise Ms. Rehm, Ms. Rehm violated Ms. Latham's privacy
 16 and confidentiality by publically posting training requirements
 17 Ms. Latham was being ordered to complete.

18 51. As a result of Defendant's failure to properly train
 19 and supervise Ms. Rehm, on or about January 15, 2019, Ms. Rehm
 20 violated Ms. Latham's privacy and confidentiality by discussing
 21 needed training and the threat of discipline if Ms. Rehm's
 22 mandate was not followed with a charge nurse who is not a member
 23 of administration, and had no "need to know" such confidential
 24 information.

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1 52. As a result of Defendant's failure to properly train
2 and supervise Ms. Rehm, Ms. Rehm, who lacked personal knowledge,
3 improperly reworded Ms. Latham's completed C-1 form, that
4 reported Ms. Latham's on the job injury, when she typed the form.
5 Ms. Rehm unlawfully included information about Ms. Latham's FMLA
6 status on the C-1 form that she had altered.

7 53. As a result of Defendant's failure to properly train
8 and supervise Ms. Rehm, Ms. Rehm in furtherance of her harassment
9 and retaliation violated Ms. Latham's privacy and confidentiality
10 by communication with Ms. Latham's co-workers about Ms. Latham's
11 job duties and performance.

12 54. Defendant had a duty to properly train and supervise
13 the newly appointed Director of Nursing.

14 55. Defendant knew or should have known that Ms. Rehm would
15 need to be trained and supervised in areas including, but not
16 limited to, privacy of employee personnel records, privacy of
17 employee medical records, workers compensation rights, FMLA
18 leave, FMLA rights, ADA reasonable accommodations, ADA rights, and
19 confidentiality of employee discipline.

20 56. As a proximate cause of Defendant's negligence Ms.
21 Latham suffered lost wages and lost benefits in excess of ten
22 thousand dollars.

23 57. As a proximate cause of Defendant's negligence Ms.
24 Latham has suffered foreseeable consequential damages after her
25 wrongful termination.

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1 58. As a proximate cause of Defendant's negligence Ms.
2 Latham suffered damages per se due to the violation of her
3 rights.

4 59. As a result of Defendant's negligence, Plaintiff is
5 entitled to punitive damages.

6 60. As a result of Defendant's negligence, Plaintiff is
7 entitled to special damages in the form of attorney's fees.

8 WHEREFORE, Ms. Latham prays for judgment against Defendant
9 as follows:

- 10 1. For compensatory damages in an amount in excess of
- 11 \$10,000.00;
- 12 2. For consequential damages in an amount in excess of
- 13 \$10,000.00;
- 14 3. For punitive damages in excess of \$10,000.00;
- 15 4. Reinstatement or in the alternative front pay;
- 16 5. For all attorney's fees and costs incurred herein; and
- 17 6. For such other relief as the Court may deem just and
- 18 proper.

19 DATED this 26th day of March, 2021.

20 Respectfully submitted,
21 Law Office of Mary F. Chapman, Ltd.

22 /S/ Mary F. Chapman, Esq. #6591
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